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IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Secretary-General

Summary

In its resolution 48/91 of 20 December 1993, the General Assembly decided to proclaim the Third Decade to Combat Racism and Racial Discrimination, beginning in 1993, and to adopt the Programme of Action proposed for the Third Decade.

In paragraph 16 of this resolution, the General Assembly requested the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies analysing information received on such activities to combat racism and racial discrimination.

This report is in response to the request of the General Assembly and contains information on the activities undertaken or envisaged by United Nations bodies within the framework of the Third Decade to Combat Racism and Racial Discrimination.

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INTRODUCTION

1. In its resolution 48/91 of 20 December 1993, the General Assembly decided to proclaim the Third Decade to Combat Racism and Racial Discrimination, beginning in 1993, and to adopt the Programme of Action proposed for the Third Decade, which is contained in the annex to the above-mentioned resolution. It also invited all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the Third Decade to Combat Racism and Racial Discrimination.

2. This report is submitted in accordance with paragraph 16 of General Assembly resolution 48/91, in which the Assembly requested the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and specialized agencies.

3. In addition to the information from the United Nations system, the Secretary-General also considered it appropriate to include in the report information on the activities of the Council of Europe to combat racism and xenophobia. In this connection, it would be helpful if the General Assembly were to address a request to intergovernmental organizations so that the Secretary-General can obtain any necessary information from those bodies.

I. SUMMARY OF MEASURES AND SUGGESTIONS ARISING FROM THE DELIBERATIONS OF VARIOUS UNITED NATIONS BODIES AND AGENCIES

A. Commission on Human Rights

4. At its fiftieth session the Commission on Human Rights considered the question of the Third Decade to Combat Racism and Racial Discrimination. On that occasion, the Commission took note of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, submitted pursuant to Commission on Human Rights resolution 1993/20 (E/CN.4/1994/66). After concluding its deliberations, the Commission adopted two resolutions.

5. In his oral presentation, the Special Rapporteur described the guidelines which he proposed to follow in order to discharge his mandate satisfactorily. He stated that an analysis of the facts suggested that it was necessary to foster a comprehensive, broad and multidimensional approach. The methodology should cover all populations and different regions of the world. If special mention was made of the developed countries in UNHCR resolution 1993/20 concerning its mandate, it was no less important for consideration of the question to extend to the other continents or cultural and geographical regions.

6. It was also necessary to adopt a theoretical and conceptual approach to the new forms of discrimination. A special effort should be made to define the full

range of such concepts as discrimination, xenophobia, intolerance and their modern forms, which were often insidious, subtle and difficult to grasp.

7. Lastly, the Special Rapporteur suggested that, at the conclusion of the Third Decade to Combat Racism and Racial Discrimination, a memorial should be erected in the grounds of the Palais des Nations at Geneva in honour of the victims of racial discrimination to promote an awareness of the evils of racial discrimination and to draw attention to the continuing and sustained activities of the United Nations against all forms of racism. This initiative would be financed by voluntary contributions.

8. During the discussion, many representatives welcomed the end of apartheid and expressed the hope that the international community would undertake to provide appropriate assistance to South Africa to help consolidate the emerging democratic institutions in that country and improve the economic and social situation of the black population, which was the main victim of apartheid.

9. Several speakers noted that anti-Semitism was a specific form of racism and that, accordingly, the relevant documents and resolutions adopted by United Nations bodies should contain explicit references to it.

10. In the light of the resurgence of anti-Semitism, it was proposed that, within the framework of the Third Decade, the Subcommission on Prevention of Discrimination and Protection of Minorities should examine the phenomenon of anti-Semitism with a view to the eventual drafting of a declaration on the subject.

11. Attention was drawn to the fact that racism and xenophobia in Europe were assuming alarming proportions. Immigrants, asylum-seekers and refugees, singled out as scapegoats for the severe economic crisis, which was increasing unemployment, were the principal victims. Some European States, faced with a rising tide of xenophobia and racism, had passed drastic laws against foreigners and asylum-seekers. Against this background, some speakers expressed surprise at the scant interest shown by European States in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly on 18 December 1990.

12. Several speakers raised questions about the current changes in forms of racism and looked for links between racism and nationalism, intolerance and ethnic conflicts, including the practice of "ethnic cleansing". Speakers also wondered whether racism had any economic significance or whether it was part of an inevitable anthropological phenomenon. The upsurge in racism, nationalism and ethnic intolerance has been described rather as an identity-related outburst aimed at reassuring those concerned about their loss of identity.

13. It was proposed that the Third Decade to Combat Racism and Racial Discrimination should approach racism as a form of and vehicle for social exclusion as well as a pretext for such exclusion.

14. The Commission on Human Rights adopted the following resolutions on the effort to combat racism and racial discrimination:

(a) Resolution 1994/9 of 18 February 1994 on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, in which the Commission declared that all forms of racism and racial discrimination, particularly in their institutionalized form, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, are among the most serious violations of human rights in the contemporary world and must be combated by all available means; and urged all Governments to take all necessary measures to combat new forms of racism, in particular by ongoing adjustment of the methods used to combat them;

(b) Resolution 1994/64 of 9 March 1994, in which the Commission requested the Special Rapporteur to examine according to his mandate incidents of contemporary forms of racism, racial discrimination, any form of discrimination against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-Semitism, and related intolerance, as well as governmental measures to overcome them, and to report on these matters to the Commission at its fifty-first session.

B. Committee on the Elimination of Racial Discrimination

15. The Committee on the Elimination of Racial Discrimination considered the question of the Third Decade to Combat Racism and Racial Discrimination. In this context, it considered whether there had been any successful national models for the elimination of racism that could be recommended to States (question raised in paragraph 19 of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, 1993-2003) (General Assembly resolution 48/91, annex).

16. Even though it was recognized that there was no particular model which could serve as a reference for all countries, mention was made of certain measures that could be recommended to States.

17. In Canada, for example, a system has been developed for the training of judges, which includes the showing of films on video that enable them to better understand and deal with situations relating to ethnic conflicts.

18. A suggestion was made that the Committee should become more involved in the implementation of the Programme of Action for the Third Decade, given the limited interest which the previous Decades had aroused. The Committee expressed its willingness to make its expertise available to the Centre for Human Rights for the preparation of a report on the obstacles which States parties encountered in seeking effectively to implement the International Convention on the Elimination of All Forms of Racial Discrimination. The Committee also expressed its willingness to help organize the seminars planned for the Third Decade.

II. COORDINATION OF ACTIVITIES OF THE THIRD DECADE

A. Inter-agency meeting

19. An inter-agency meeting organized on the initiative of the Centre for Human Rights was held at Geneva on 26 January 1994. Participants included representatives of the International Labour Organization (ILO), the United Nations Development Programme (UNDP), the United Nations High Commissioner for Refugees (UNHCR), and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

20. At that meeting, the relevant provisions of General Assembly resolution 48/91, requesting the participation of the specialized agencies of the United Nations, were discussed as were the activities and studies that were part of the Programme to which the agencies could contribute.

21. The representative of UNESCO stated that, in order to avoid duplication of effort, and so as not to place undue burdens on States, it would be useful to take into account, within the framework of the implementation of the Programme of Action for the Third Decade, the reports on the implementation of the UNESCO Declaration on race and racial prejudice which States were submitting to the General Conference of UNESCO.

22. The representative of the High Commissioner for Refugees stated that the Office of the High Commissioner would be ready to assist in the organization of the seminars included in the Programme for the Decade, given its experience in restoring the harmonious coexistence of communities in conflict.

23. Provision was made for the establishment of an informal working group, composed of representatives of the various agencies, to examine the modalities of the implementation of the Programme of Action for the Third Decade by each specialized agency.

B. Consultation between the Centre for Human Rights and the Non-Governmental Organizations Subcommittee on Racism, Racial Discrimination, Apartheid and Decolonization

24. A meeting for the purpose of consultation on the implementation of the Programme of Action for the Third Decade was held at Geneva on 25 February between the Centre for Human Rights and the Non-Governmental Organizations Subcommittee on Racism, Racial Discrimination, Apartheid and Decolonization.

25. The participants were informed of the arrangements made by the Centre for Human Rights to implement the Programme of Action for the Third Decade, and non-governmental organizations were invited to contribute to its implementation. It was proposed, inter alia, that non-governmental organizations should establish in each Member country of the United Nations a national committee which would be responsible for planning and conducting activities within the framework of the Third Decade.

26. Some representatives of non-governmental organizations undertook to mobilize their members and all organizations concerned with the issue of racism in order to ensure the success of the Third Decade.

27. In the course of their activities, non-governmental organizations plan to focus on the following issues: the role of human rights education in combating racism; the impact of economic factors on the persistence of racism and racial discrimination; racial discrimination in housing; the situation of migrant workers and refugees faced with racism and racial discrimination.

28. A number of organizations have undertaken to use their influence to ensure that all States which have not already done so ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

29. Other organizations have offered to provide the Centre for Human Rights, on a regular basis, with appropriate documentation so that the Special Rapporteur on contemporary forms of racism, as well as the Commission on Human Rights, the Economic and Social Council and the General Assembly, may be kept informed of the situation regarding racism and racial discrimination in the world.

III. INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

30. On Monday, 21 March 1994, on the occasion of the International Day for the Elimination of Racial Discrimination, the Centre for Human Rights and the Information Service of the United Nations Office at Geneva organized a round-table discussion on the theme of "The Third United Nations Decade to Combat Racism and Racial Discrimination: the implications of the campaign against racial discrimination, and related intolerance, in a democratic society".

31. The discussion was led by Mr. Ibrahima Fall, Assistant Secretary-General for Human Rights. The participants included Mr. Ivan Garvalov, Chairman of the Committee on the Elimination of Racial Discrimination, Mr. Frank Orton, Ombudsman against ethnic discrimination (Sweden), Mrs. Edith Ballantyne and Mrs. Beryl Mutambirwa, members of the NGO Subcommittee on Racism, Racial Discrimination, Apartheid and Decolonization.

32. Also participating in the round-table discussion were representatives of the diplomatic corps accredited to the United Nations Office at Geneva, members of the United Nations Secretariat, and representatives of non-governmental organizations.

33. In his introductory statement, Mr. Ibrahima Fall noted the historical context of the commemoration, which was linked to the process of dismantling apartheid in South Africa, the final phase of which was to culminate in the holding of elections in April and the installation of a democratic regime in South Africa. It was as a result of the Sharpeville massacre in 1960 that the General Assembly, in 1966, had invited the international community to celebrate the International Day for the Elimination of Racial Discrimination. Mr. Fall

pointed out that, although, with the imminent abolition of apartheid, humanity could look forward to a world free from any institutionalized form of racism or racial discrimination, other forms of racism and racial discrimination continued to exist.

34. Current manifestations of racism, racial discrimination and xenophobia mostly affected ethnic minorities, indigenous populations, migrant workers, refugees and religious groups. There was also a rise in micro-nationalism, ethno-regionalism and tribalism, which had in common with racism and xenophobia the fundamental negation of otherness in the interest of extolling the superiority of the groups advocating them. Such manifestations were fraught with consequences and threats to peace and security at both the national and the international levels.

35. Referring to the preliminary report of Mr. Glèlè-Ahanhanzo, Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia, the Assistant Secretary-General for Human Rights stated that there were also non-institutionalized forms of racism, "disguised or camouflaged by a proclamation of theoretical equality". These could appear in the form of genteel paternalism or in anodyne expressions of prejudice or tasteless witticisms,s in the structuring of national or urban space and in the justification of the division of labour, in the ideology of national or continental preferentialism and in the perversion of the values of cultural relativism, in education options or in the selective dissemination of information.

36. The objective of this Third Decade, Mr. Fall explained, was to attack all these more or less explicit, but equally insidious and pernicious, forms of racism, in accordance with the recommendations of the World Conference on Human Rights. The latter had established as a primary goal of the international community the elimination of racism, racial discrimination and other contemporary forms and manifestations of racism.

37. The Centre for Human Rights had chosen to discuss the challenge posed by the campaign against racial discrimination and related intolerance in a democratic society, the Assistant Secretary-General for Human Rights explained, firstly because racism, racial discrimination and xenophobia operated under cover of democracy, and secondly, because the campaign against these phenomena involved calling into question the racist and discriminatory use made of certain pillars of democracy, such as freedom of association, freedom of expression and freedom of opinion. The campaign also raised the problem of the peaceful coexistence of cultural identities or of social integration; of the participation of all components of the population in the management of public affairs; and of equality of opportunity and the equitable distribution of material resources.

38. In his statement, Mr. Ivan Garvalov said that although 135 countries had ratified the International Convention on the Elimination of All Forms of Racial Discrimination, the world situation regarding racism and racial discrimination remained disturbing. A study of the reports showed that, of the States parties to the Convention, none could claim to be free of racial discrimination. Some

encouraging progress had, in fact, been achieved by a few States, but only to a limited extent.

39. Some States claimed that their constitutions and legislation contained adequate provisions for the suppression of racism and racial discrimination; however, an examination of these texts revealed that they were not in conformity with the International Convention on the Elimination of All Forms of Racial Discrimination. For example, very few States applied in their legislation the provisions of article 4, which required States Parties to adopt positive measures to eradicate all incitement to, or acts of, racial discrimination, inter alia, by declaring an offence punishable by law any dissemination of ideas based on racial superiority or hatred, and by prohibiting organizations and propaganda activities which incite racial discrimination.

40. The Committee on the Elimination of Racial Discrimination had also noted that the international community was no longer confronted only with traditional forms of racism and racial discrimination but also had to deal with the growth of ethnic conflicts and animosities, particularly in the former Yugoslavia and within the confines of the former Union of Soviet Socialist Republics.

41. Concluding his statement, Mr. Garvalov suggested that the international community should continue to exert its influence to ensuring that every Member State of the United Nations made the eradication of racism and racial discrimination a national priority, and that States parties to the International Convention on the Elimination of All Forms of Racial Discrimination took effective measures to implement that Convention instead of interpreting its provisions to suit their national conditions, Mr. Garvalov also expressed the opinion that States Members of the United Nations should incorporate into school and university curricula the teaching of the principles of racial equality and non-discrimination. He also recommended that the Security Council should take urgent steps to ensure that ethnic conflicts did not endanger international peace and security. As a follow-up to the World Conference on Human Rights, he proposed that the United Nations should organize a third World Conference to Combat Racism and Racial Discrimination.

42. Mr. Frank Orton recalled his experience as Swedish Ombudsman against ethnic discrimination. Appointed by the Government under the Act of 1 July 1986 against ethnic discrimination, the Ombudsman was responsible for combating ethnic discrimination in employment and also in the supply of goods and services. He dealt with both general and individual problems. In individual cases, he provided advice and information to any person who believed he had been a victim of discrimination, in order to help that person to protect his rights. Thus, he could inform the person of his fundamental rights in the particular situation, and tell him what legal remedies were available to him to enforce these rights and how to go about instituting legal proceedings. The Ombudsman did not, strictly speaking, have the status of a supervisory authority. He could not institute legal proceedings, but he could enter into a dialogue with the party accused of discrimination and do his best to arrive at a solution to the problem.

43. Generally speaking, the experience which the Ombudsman acquired from the cases submitted to him was useful, for example, in combating ethnic

discrimination by providing appropriate guidance, by various means, to State authorities, enterprises and organizations. The Ombudsman also played a very important part in educating public opinion, endeavouring to change mentalities and attitudes by frequent participation in radio or television broadcasts and conferences.

44. Most of the individual cases submitted had to do with difficulties in finding employment for reasons connected with ethnic origin, persecution or harassment at work, discrimination in the availability of housing and credit, admittance to places of entertainment, racist or xenophobic comments in the media, and laws on refugees and immigrants.

45. Although lacking judicial authority the Ombudsman had an independent status and moral authority which, as a result of the relations he maintained with social institutions (non-governmental organizations, trade unions, churches, etc.), enabled him to exert an influence on Swedish society.

46. In her statement, Mrs. Beryl Mutambirwa noted the historical link between the present persistence of racism and racial discrimination and the slave trade and colonization. Those phenomena had produced ideologies and racist patterns that were firmly imprinted on people's minds and were therefore difficult to erase. They were also the underlying cause of economic relations and national political and social structures which tended to keep peoples of African origin and the indigenous peoples of former colonies in a state of subordination.

47. In her opinion, the elimination of racism and racial discrimination required the complete removal of unequal economic, political and social structures rather than their reform. Efforts must also be made to ensure that teaching and educational tools (books, films, newspapers, etc.) did not become a vehicle of racial prejudice.

48. Mrs. Edith Ballantyne urged that ethnic diversity should be perceived as a source of enrichment and not a reason for discrimination. She said that the NGO Subcommittee on Racism, Racial Discrimination, Apartheid and Decolonization would intensify its activities so as to influence Governments and induce them to adopt legal and educational measures to combat racism and racial discrimination. She suggested that the struggle against racial discrimination should be a dimension of the overall activities of the United Nations and, in particular, should be taken into account in the agenda of the World Summit for Social Development.

49. In the course of the general debate it was remarked that racism and racial discrimination should not be confused with ethnic animosities and the conflicts deriving from them. While in the case of racism and racial discrimination the victim was subjected to the gratuitous hatred of others simply because he belonged to a particular race, in the case of ethnic hostilities it was the competition for material resources or for territorial conquests that caused antipathy.

50. A comment had been made on the distinction drawn by the Assistant Secretary-General for Human Rights between institutionalized racism and generalized racism. In the opinion of one speaker there was a third form of

racism - militant racism which was the form propagated by extreme right-wing movements and racist political organizations.

51. The International Day had made it clear that the international community must increase its efforts to ensure that the perversion of democratic values by racism and racial discrimination did not give rise to "dictocracies", that is, dictatorships posing as democracies. The first challenge was for each individual to avoid becoming the cause of unequal treatment due to a biased and prejudice-ridden education.

52. In addition, the Assistant Secretary-General for Human Rights had conveyed to the participants in the round table a message from Her Excellency, Begum Khaleda Zia, the Prime Minister of Bangladesh.

IV. ACTIVITIES OF THE COUNCIL OF EUROPE

53. In view of the disturbing increase in intolerance - racism, anti-Semitism, xenophobia and nationalism in Europe - the heads of State and Government of the member States of the Council of Europe, meeting in Vienna in October 1993, adopted a Declaration (see annex I) and a plan of action to combat those phenomena.

54. The Council of Europe's plan of action calls for a threefold strategy:

(a) The promotion of awareness among the public, and particularly among youth, through a European campaign;

(b) The elaboration of national and European regulations to combat racism and intolerance;

(c) The strengthening of the Council of Europe's intergovernmental cooperation in the furtherance of that objective.

A. European youth campaign

55. This campaign - which will last for three years and was initiated on 10 December 1993 - is designed to make youth and youth organizations throughout Europe the advocates and defenders of an open and tolerant society.

56. The campaign is aimed at all segments of society; it has a national and local dimension and operates through national committees set up in each country.

57. It comprises several types of activity:

(a) Research into the causes of racism (seminars, studies);

(b) Preparation of teaching materials (books, videos on human rights and on intercultural subjects);

(c) Media events (festivals, exhibitions, etc.);

(d) Competitions and prizes (such as the Südwestfunk's "Toleranz" prize);

(e) Radio and television campaigns.

B. Elaboration of national and European regulations

58. Effective legislation to combat racism, anti-Semitism, xenophobia and intolerance was still lacking in some member States and the international instruments on the subject needed to be reinforced. This would be the task of the Committee of Experts against Racism, Anti-Semitism, Xenophobia and Intolerance, which had been set up by the Summit of Heads of State and Government, with the following mandate:

(a) To consider legislation, policies and other measures taken by member States to combat racism, xenophobia, anti-Semitism and intolerance and their efficacy;

(b) To stimulate action in this area at the local, national and European level;

(c) To formulate general policy recommendations for member States;

(d) To study international legal instruments applicable on the subject with a view to their enforcement, if necessary.

59. The composition of the Committee, its methods of work and its budget were decided on in January 1994. The first meeting of the Committee was held on 22 March 1994.

60. Great emphasis was placed on the qualifications of the experts serving on the Committee, who should have a moral authority and recognized expertise in dealing with questions concerning racism, xenophobia, anti-Semitism and intolerance.

61. The Assembly and the conference of local and regional authorities of Europe were invited to send representatives to the Committee.

C. Intergovernmental cooperation

62. Although the promotion of tolerance and respect for others has already been a theme in the deliberations of the Council of Europe, the heads of State and Government decided to intensify that action. Accordingly, the Committee of Ministers addressed a message to all steering and ad hoc committees asking them to take the plan of action into account when drawing up their future programmes.

63. Starting in 1994, two new activities have been added to the programme, one on history teaching and the other on the sensitization of media professionals.

64. The Secretary General of the Council of Europe wishes the entire Secretariat to be involved in the implementation of this plan of action.

Consequently an interdepartmental task force, presided over by the Deputy Secretary General has been instituted.

65. Moreover, coordination with other international organizations concerned with these problems, notably the European Union and UNESCO, had been established.

V. PLAN OF ACTIVITIES TO BE CARRIED OUT DURING THE FIRST THIRD OF THE THIRD DECADE (1994-1997)

66. In the light of the resources available, the following activities taken from the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination are to be completed during the 1994-1997 period.

A. Seminars and training courses

67. 1. Seminars:

(a) Evaluation seminar concerning, on the one hand, experience acquired in the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and, on the other hand, the efficacy of legislation and remedies available at the national level to victims of racism;

(b) Seminar on the suppression of incitement to hatred and racial incitement, and especially on the prohibition of propaganda activities and organizations participating in them;

(c) Seminar on the right to equality before the courts and other judicial institutions, including the right to compensation for injuries suffered as a result of discrimination;

(d) Seminar on the transfer of inequalities based on race from one generation to another, especially in the case of children of migrant workers and the appearance of new forms of segregation;

(e) Seminar on immigration and racism;

(f) Seminar on international cooperation in the elimination of racial discrimination, including cooperation between States, the contribution of non-governmental organizations, national and regional institutions and United Nations bodies, and petitions to treaty follow-up bodies;

(g) Three regional seminars (in Africa, Asia and Europe) on nationalism, ethno-nationalism, and human rights which could also make it possible to broaden understanding of the causes of current ethnic conflicts, and especially on the policy of so-called "ethnic cleansing," so as to find solutions to the problem;

(h) In cooperation with UNESCO and the Department of Public Information of the Secretariat, organization of a seminar on the role of the media in combating racist ideas or their dissemination.

2. Training courses:

68. Training courses: three training courses on national legislation prohibiting racial discrimination.

B. Basic studies and research

69. The following topics will be studied:

(a) The implementation of article 2 of the International Convention on the Elimination of All Forms of Racism;

(b) Economic factors contributing to the perpetuation of racism and racial discrimination;

(c) Integration or preservation of cultural identity in a multiracial or multi-ethnic society;

(d) Political rights, especially as regards the participation of various racial groups in political processes and the representation of such groups in public administrations.

VI. TRUST FUND FOR THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

70. The Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination is a continuation of that established in 1973 by the General Assembly in application of paragraph 17 of the Programme of Action for the First Decade (contained in the annex to General Assembly resolution 3057 (XXVIII)) and re-established in 1983 in the framework of the Programme of Action for the Second Decade (contained in the annex to General Assembly resolution 38/14).

71. According to the proposals of the Secretary-General, endorsed by the General Assembly in 1976 (resolution 31/77 of 13 December 1976), the Fund is intended to support all the activities of the Decade and to provide financial support for those combating racism and racial discrimination. It is intended, inter alia, to contribute to the organization of seminars and the conduct of studies on the question of racism and racial discrimination.

72. Notwithstanding the commitments made by the international community, especially at the Conference on Human Rights (Vienna, June 1993) at which the rapid and complete elimination of all forms of racism and racial discrimination was declared to be a priority task of the international community, contributions to the Fund have remained below the levels hoped for. Despite the appeals of the Secretary-General, on 31 December, only Japan had contributed the sum of US$ 10 million to the Fund (see annex II). It is therefore certain that, unless a supplementary financing effort is made, very few of the activities planned for the 1994-1997 period will be carried out. The Secretary-General has therefore taken the opportunity afforded by this first report on the Third Decade to renew

his appeal for contributions to the Trust Fund for the Third Decade to Combat Racism and Racial Discrimination. It was important to note that contributors could allocate their contributions to whatever particular activities they deemed especially worthy of interest, within the context of the effort to combat racism and racial discrimination.

VII. CONCLUSION AND RECOMMENDATION

73. In sum, the launching of a third Decade appears to have mobilized the States Members of the organization as well as the non-governmental organizations, judging by the contributions made by the different participants to the deliberations of the fiftieth session of the Commission on Human Rights on this question. It will no doubt be necessary to wait until 1995 to obtain information from Governments and non-governmental organizations which have, for the most part, devoted the year 1994 to preparations for the implementation of the recommendations contained in the Programme of Action.

74. Meanwhile, the Economic and Social Council would perhaps wish to decide what action to take on the proposal made by the Chairman of the Committee on the Elimination of Racial Discrimination concerning the holding of a third World Conference to Combat Racism and Racial Discrimination, as a follow-up to the World Conference on Human Rights.

75. The Economic and Social Council could also consider the proposal of the Special Rapporteur on contemporary forms of racism concerning the erection of a memorial in honour of the victims of racism and racial discrimination. The study of the feasibility of this project should be entrusted to the Secretary-General.

Annex I

DECLARATION OF THE COUNCIL OF EUROPE SUMMIT ON RACISM, ANTI-SEMITISM, XENOPHOBIA AND NATIONALISM

We, Heads of State and Government of the member States of the Council of Europe, meeting for the first time in our Organisation's history at this Vienna summit conference, solemnly declare the following:

The end of the division of Europe offers an historic opportunity to consolidate peace and stability on the continent. All our countries are committed to pluralist and parliamentary democracy, the indivisibility and universality of human rights, the rule of law and a common cultural heritage enriched by its diversity. Europe can thus become a vast area of democratic security.

This Europe is a source of immense hope which must in no event be destroyed by territorial ambitions, the resurgence of aggressive nationalism, the perpetuation of spheres of influence, intolerance or totalitarian ideologies.

We condemn all such aberrations. They are plunging peoples of former Yugoslavia into hatred and war and threatening other regions. We call upon the leaders of these people to put an end to their conflicts. We invite these peoples to join us in constructing and consolidating the new Europe.

We express our awareness that the protection of national minorities is an essential element of stability and democratic security in our continent.

The Council of Europe is the pre-eminent European political institution capable of welcoming, on an equal footing and in permanent structures, the democracies of Europe freed from communist oppression. For that reason the accession of those countries to the Council of Europe is a central factor in the process of European construction based on our Organisation's values.

Such accession presupposes that the applicant country has brought its institutions and legal system into line with the basic principles of democracy, the rule of law and respect for human rights. The people's representatives must have been chosen by means of free and fair elections based on universal suffrage. Guaranteed freedom of expression and notably of the media, protection of national minorities and observance of the principles of international law must remain, in our view, decisive criteria for assessing any application for membership. An undertaking to sign the European Convention on Human Rights and accept the Convention's supervisory machinery in its entirety within a short period is also fundamental. We are resolved to ensure full compliance with the commitments accepted by all member States within the Council of Europe.

We affirm our will to promote the integration of new member States and to undertake the necessary reforms of the Organisation, taking account of the proposals of the Parliamentary Assembly and of the concerns of local and regional authorities, which are essential to the democratic expression of peoples.

We confirm the policy of openness and cooperation vis-à-vis all the countries of Central and Eastern Europe that opt for democracy. The programmes set up by the Council of Europe to assist the democratic transition should be developed and constantly adapted to the needs of our new partners.

We intend to render the Council of Europe fully capable of thus contributing to democratic security as well as meeting the challenges of society in the twenty-first century, giving expression in the legal field to the values that define our European identity, and to fostering an improvement in the quality of life.

Attaining these objectives requires fuller coordination of the Council of Europe's activities with those of other organizations involved in the construction of a democratic and secure Europe, thus satisfying the need for complementarity and better use of resources.

In this connection, we welcome the cooperation established - in the first instance, on the basis of the 1987 Arrangement - with the European Community, particularly the development of joint projects, notably in favour of the countries of Central and Eastern Europe. We consider that such a partnership in increasingly varied fields of activity reflects the specific and open-ended institutional relationship existing between the two institutions.

Similarly, to foster democratic security we are in favour of intensifying functional cooperation in the human dimension sphere between the Council of Europe and the CSCE. Arrangements could usefully be concluded with the latter, including its Office for Democratic Institutions and Human Rights and its High Commissioner on National Minorities.

* * *

We are resolved to make full use of the political forum provided by our Committee of Ministers and Parliamentary Assembly to promote, in accordance with the competences and vocation of the Organisation, the strengthening of democratic security in Europe. The political dialogue within our Organisation will make a valuable contribution to the stability of our continent. We will do so all the more effectively if we are able to initiate such a dialogue with all the European States that have expressed a desire to observe the Council's principles.

Convinced that the setting up of appropriate legal structures and the training of administrative personnel are essential conditions for the success of the economic and political transition in Central and Eastern Europe, we attach the greatest importance to the development and coordination of assistance programmes for this purpose in liaison with the European Community.

The creation of a tolerant and prosperous Europe does not depend only on cooperation between States. It also requires transfrontier cooperation between local and regional authorities, without prejudice to the constitution and the territorial integrity of each State. We urge the Organisation to pursue its work in this field and to extend it to cooperation between non-adjacent regions.

We express our conviction that cultural cooperation, in which the Council of Europe is a prime instrument - through education, the media, cultural action, the protection and enhancement of the cultural heritage and participation of young people - is essential for creating a cohesive yet diverse Europe. Our Governments undertake to bear in mind the Council of Europe's priorities and guidelines in their bilateral and multilateral cooperation.

With the aim of contributing to the cohesion of our societies, we stress the importance of commitments accepted within the framework of the Council of Europe Social Charter and European Code of Social Security in order to provide member countries with an adequate system of social protection.

We recognize the value of cooperation conducted within the Council of Europe to protect the natural environment and improve the built environment.

We will continue our efforts to facilitate the social integration of lawfully residing migrants and to improve the management and control of migratory flows, while preserving the freedom to travel within Europe. We therefore encourage the "Vienna Group" to pursue its work, thus contributing, with other competent groups, to a comprehensive approach to migration challenges.

Fortified by our bonds of friendship with non-European States sharing the same values, we wish to develop with them our common efforts to promote peace and democracy.

We also affirm that the deepening of cooperation in order to take account of the new European situation should in no way divert us from our responsibilities regarding North/South interdependence and solidarity.

* * *

In the political context thus outlined, we, Heads of State and Government of the member States of the Council of Europe, resolve:

- to improve the effectiveness of the European Convention on Human Rights by establishing a single Court for ensuring compliance with undertakings given thereunder (see decision in Appendix I),

- to enter into political and legal commitments relating to the protection of national minorities in Europe and to instruct the Committee of Ministers to elaborate appropriate international legal instruments (see decision in Appendix II),

- to pursue a policy for combating racism, xenophobia, anti-Semitism and intolerance, and to adopt for this purpose a Declaration and a Plan of Action (see decision in Appendix III),

- to approve the principle of creating a consultative organ genuinely representing both local and regional authorities in Europe,

- to invite the Council of Europe to study the provision of instruments for stimulating the development of European cultural schemes in a partnership, involving public authorities and the community at large,

- to instruct the Committee of Ministers to adapt the Organisation's Statute as necessary for its functioning, having regard to the proposals put forward by the Parliamentary Assembly.

Vienna, 9 October 1993

Annex II

TRUST FUND FOR THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Contributions received from Governments since the establishment of the Trust Fund up to 31 December 1993

(In thousands of United States dollars)

Country	1985	1986	1987	1988	1989	1990	1991	1992	1993
Austria	-	1 000	-	-	-	-	-	5 000	-
Bahamas	-	-	500	500	-	-	-	-	-
Bangladesh	-	-	1 000	-	-	-	-	448.85	-
Belgium	1 500	-	-	-	-	-	-	-	-
Cameroon	-	2 711	-	-	906	-	-	-	-
Canada	-	2 000	-	-	-	-	-	-	-
China	-	-	10 000	-	-	-	-	-	-
Denmark	8 000	-	-	-	-	-	-	-	-
Dominica	-	-	-	-	-	-	-	1 993	-
Finland	5 000	-	-	-	-	-	-	-	-
Germany (Federal Republic)	4 000	-	-	-	-	-	-	-	-
India	-	-	10 000	-	-	-	-	-	-
Indonesia	-	-	-	-	2 500	-	-	-	-
Italy	-	4 000	-	10 000	-	-	-	-	-
Jamaica	-	-	-	-	500	-	-	-	-
Japan	-	10 000	10 000	10 000	10 000	10 000	10 000	10 000	10 000
Libyan Arab Jamahiriya	-	-	-	-	10 000	-	-	-	-
Luxembourg	-	-	-	-	-	-	5 934	-	-
Malaysia	-	-	-	-	-	-	-	500	-
Netherlands	-	5 000	-	-	-	-	-	-	-
Norway	10 000	10 000	-	-	-	-	-	-	-
Republic of Korea	-	-	-	-	3 000	-	-	-	-
Saint Vincent and the Grenadines	-	-	-	-	-	-	-	1 000	-
Spain	1 000	-	-	-	-	-	-	-	-
Swaziland	-	-	-	-	760	-	-	-	-
Sweden	5 000	-	-	-	-	-	-	-	-
Syrian Arab Republic	-	-	1 000	-	-	-	-	-	-
Thailand	-	-	-	-	-	-	-	1 000	-
Tunisia	-	-	-	-	-	2 000	-	-	-
	34 500	34 711	37 500	20 500	27 666	12 000	15 934	24 441.85	10 000